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Fifty-eighth session

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Summary record of the 36th meeting

Held at Headquarters, New York, on Monday, 22 March 2004, at 10 a.m.

Chairman: Mr. Kmoníček. (Czech Republic)
*Chairman of the Advisory Committee on Administrative
and Budgetary Questions:* Mr. Kuznetsov

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The meeting was called to order at 10.05 a.m.

Organization of work

1. **The Chairman** recalled that at the Committee's 35th meeting, held on Friday, 19 March 2004, a number of delegations had requested the Bureau to include in the Committee's programme of work for the first part of the resumed fifty-eighth session of the General Assembly additional meeting time for consideration of agenda item 127, "Human resources management". Following the adjournment of the meeting, the Bureau had met to consider the request but had been unable to agree on a recommendation. It had been decided that, in absence of a recommendation from the Bureau, the Committee should take up the question of the programme of work in a formal meeting. However, the members of the Bureau had informed him that negotiations had continued over the weekend and that they might be able to reach a compromise. He therefore wished to suggest that the meeting should be suspended for approximately 30 minutes.

2. **Mr. Elnaggar** (Egypt) said that his delegation had serious difficulties with the Bureau's working methods. Its failure to agree on a recommendation had disrupted the Committee's work. He wished to recall that the Bureau's function was to draw up the programme of work, not to engage in substantive discussion of the matters before the Committee. If the Bureau could not reach a consensus, the Committee should act in its stead. The Bureau seemed to be creating its own ad hoc rules of procedure. His delegation was not willing to proceed on that basis. The Committee's programme of work should reflect the wishes of the Member States, not of a few individuals.

3. **The Chairman** said that the Bureau had not engaged in any substantive discussion. It had sought only to reach an agreement on a procedure based on which the Committee could move forward with its work. It was not attempting to impose a decision, since it could only make recommendations.

4. **Mr. Bouheddou** (Algeria) said that, as a Vice-Chairman of the Committee, he had attended the Bureau's meeting on Friday, 19 March 2004. He fully understood the concerns raised by the representative of Egypt regarding the Bureau's conduct. In accordance with established procedure, delegations had the right to request that a matter should be pursued in a formal

meeting, where they could pose questions to the Secretariat. The Bureau could not set itself up as a censor by granting some requests but refusing others. Nevertheless, at Friday's meeting, the Chairman and the two other Vice-Chairmen had vetoed a formal request made by not one, but several delegations. They must accept responsibility for the disruption of the Committee's work. The Bureau could have recommended a programme of work, which the Committee could then have adopted if it so wished. However, it had chosen not to do so. As a Vice-Chairman of the Committee, he deeply regretted the outcome of the Bureau's meeting.

5. **Mr. Farid** (Saudi Arabia) said that his delegation fully supported the statement made by the representative of Egypt. The Bureau's actions had been neither constructive nor transparent and had created a dangerous precedent. Every Member State had the right to request that additional formal meetings should be scheduled to consider any item on the agenda.

6. **Mr. Elji** (Syrian Arab Republic) said that the Chairman should clarify the Bureau's methods of work and the reasons for the lack of consensus among its members.

7. **Mr. Tootoonchian** (Islamic Republic of Iran) expressed support for the statements made by the representatives of Egypt, Algeria and the Syrian Arab Republic. His delegation, too, wished to know on what basis the Bureau had proceeded. A number of Member States had requested it to allocate additional meeting time for consideration of agenda item 127. Its refusal to accede to that request was a regrettable departure from the Committee's normal working methods. While his delegation did not expect all Member States to support its views on the item, it did expect to have an opportunity to express them. Those concerns notwithstanding, he was grateful for the efforts of the Bureau and those of the Chairman in support of the Committee's work.

8. **The Chairman** said that there was no hidden agenda. The Bureau had simply been unable to reach an agreement at its meeting on Friday. He had not been able to meet with the other members over the weekend. However, he understood that they were now close to achieving a consensus. He therefore wished to suspend the meeting for a few minutes to enable them to pursue their negotiations. He trusted that the Bureau would

then be able to make a recommendation concerning the Committee's programme of work.

9. **Mr. Elnaggar** (Egypt) noted that the Committee had begun the week without a programme of work. It was regrettable that a formal meeting would have to be suspended so that the Bureau could do what it should have done the previous Friday. In future, the Bureau should bear in mind the need for efficient utilization of conference-servicing resources. He concurred with the views of previous speakers concerning the Bureau's working methods. While its members were endorsed by regional groups, they were elected by the entire membership of the Committee. They must therefore be impartial. In particular, they must be able to make recommendations concerning the programme of work without being influenced by their views on the substantive matters to be discussed. In that connection, he noted that it was the General Assembly, not the Bureau, that allocated agenda items to the Committee. The Bureau had failed in its most basic task, which was to facilitate the work of the Committee. His delegation therefore wished to make a formal request for an inquiry to be conducted into the actions of the Bureau.

10. **Ms. Afifi** (Morocco) said that clearly a mistake had been made. However, the Committee would achieve nothing by continuing to discuss it. It was merely wasting precious time and resources. She appealed to all delegations to allow the Chairman to suspend the meeting; Member States could then meet in their regional groups and a solution would perhaps be found. She expressed regret that the spirit of partnership that had prevailed at the main part of the fifty-eighth session had been undermined.

11. **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, endorsed the call made by the representative of Morocco for the suspension of the meeting.

12. **Mr. Farid** (Saudi Arabia) said that it was not clear to him what the Bureau needed to discuss. The 56 States members of the Organization of the Islamic Conference had requested that additional meeting time should be allocated for consideration of agenda item 127. The Bureau should simply accede to that request. His delegation would agree to the suspension of the meeting but it expected the Bureau to return with a recommendation that consideration of the item should continue.

13. **Mr. Mazumdar** (India) said that the events of Friday had been Kafkaesque. He could not recall any previous instance where the Bureau had failed to schedule a meeting requested by so many delegations. It was not for the Bureau to decide which items the Committee should discuss. Once a Member State had requested the holding of a meeting on a particular item, the Bureau's sole task was to determine when the meeting would take place.

14. **The Chairman** said that that was precisely what the Bureau was trying to do. However, it still needed to agree on a time slot. He wished to reiterate that it was not the Bureau's wish to draw conclusions on any substantive matter, since it had no authority to do so.

15. **Mr. Dutton** (Australia) said that the Bureau had performed well over the session, and its inability to reach a consensus the previous Friday mirrored the deep division within the Committee. There was no point raking over the Bureau's conduct. Delegations should allow the Chairman to suspend the meeting so that the Bureau could make a recommendation on the programme of work as soon as possible.

16. **Ms. Stanley** (Ireland), speaking on behalf of the European Union, expressed support for the suspension of the meeting. She trusted that the Bureau would recommend a balanced programme of work. In that connection, she noted that the funding of the Special Court for Sierra Leone would soon run out; that would lead to the suspension of trials and, ultimately, to the failure of the Court, which would deal a huge blow to the administration of justice in Africa.

17. **Mr. Tootoonchian** (Islamic Republic of Iran) said that his delegation would not object to the suspension of the meeting. However, the Committee must move forward with its work. Many important issues were still outstanding, and the Bureau must ensure that adequate meeting time was allocated for all of them.

18. **Mr. Chaudhry** (Pakistan) expressed dismay that the Committee could not overcome a procedural disagreement. He proposed that the meeting should be suspended so that the matter could be referred to informal consultations.

19. **The Chairman** said that he first wished to consult with the Bureau. If he heard no objection, he would suspend the meeting for a few minutes to enable him to do so.

The meeting was suspended at 10.45 a.m. and resumed at 11.40 a.m.

20. **The Chairman** said that the Bureau recommended that the Committee should hold one additional formal meeting on agenda item 127, "Human resources management", on the morning of Thursday, 25 March 2004. Informal consultations on the item would be held that afternoon and, if necessary, on the morning of Friday, 26 March 2004.

21. **Mr. Abelian** (Secretary of the Committee) read out the proposed programme of work for the remainder of the first part of the resumed session. He noted that the Committee would take up the issue of the Special Court for Sierra Leone at a formal meeting the following morning and in informal consultations to be held immediately afterwards. The Committee was scheduled to complete its work by Wednesday, 31 March 2004.

22. **The Chairman** said he took it that the Committee wished to adopt the proposed programme of work.

23. *It was so decided.*

The meeting rose at 11.45 a.m.